



General Assembly

Amendment

January Session, 2013

LCO No. 7517

SB0113907517SD0

Offered by:

SEN. BYE, 5th Dist.

REP. WILLIS, 64th Dist.

To: Subst. Senate Bill No. **1139**

File No. 497

Cal. No. 379

"AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL FOR INSTITUTIONS OF HIGHER EDUCATION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10a-34 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2013*):

5 (a) For the purposes of this section, (1) "program of higher learning"
6 means any course of instruction for which it is stated or implied that
7 college or university-level credit may be given or may be received by
8 transfer; (2) "degree" means any letters or words, diploma, certificate
9 or other symbol or document which signifies satisfactory completion
10 of the requirements of a program of higher learning; (3) "institution of
11 higher [learning] education" means any person, school, board,
12 association, limited liability company or corporation which is licensed
13 or accredited to offer one or more programs of higher learning leading
14 to one or more degrees; (4) "license" means the authorization by the

15 [State Board of Education] Office of Higher Education to operate a
16 program of higher learning or institution of higher [learning]
17 education for a specified initial period; (5) "accreditation" means the
18 authorization by said [board] office to continue operating a program of
19 higher learning or institution of higher [learning] education for
20 subsequent periods, and in such periods to confer specified degrees;
21 (6) "program modification" means (A) a change in a program of higher
22 learning that does not clearly qualify as a new program of higher
23 learning or a nonsubstantive change, including, but not limited to, a
24 new program of higher learning consisting primarily of course work
25 for a previously approved program of higher learning, (B) an
26 approved program of higher learning to be offered at an off-campus
27 location, (C) a change in the title of a degree, or (D) a change in title of
28 a program of higher learning; and (7) "nonsubstantive change" means
29 (A) a new undergraduate certificate program, within an existing
30 program of higher learning, of not more than thirty semester credit
31 hours that falls under an approved program of higher learning, (B) a
32 new baccalaureate minor of not more than eighteen semester credit
33 hours, (C) a new undergraduate option or certificate program of not
34 more than fifteen semester credit hours, or (D) a new graduate option
35 or certificate program of not more than twelve semester credit hours.

36 (b) The Office of Higher Education shall establish regulations, in
37 accordance with chapter 54, concerning the requirements for licensure
38 and accreditation, such regulations to concern administration, finance,
39 faculty, curricula, library, student admission and graduation, plant and
40 equipment, records, catalogs, program announcements and any other
41 criteria pertinent thereto, as well as the periods for which licensure and
42 accreditation may be granted, and the costs and procedures of
43 evaluations as provided in subsections (c), [and] (d) and (i) of this
44 section. [Said office may establish an advisory council for accreditation
45 composed of representatives of public and private institutions of
46 higher learning and the public at large to advise the office regarding
47 existing or proposed regulations.] Said office shall establish academic
48 review commissions to hear each appeal of a denial by said office of an

49 application by an institution of higher education for licensure or
50 accreditation of a program of higher learning or institution of higher
51 education. For each individual appeal, the executive director of said
52 office, or the executive director's designee, shall select a commission
53 that is comprised of four higher education representatives and five
54 business and industry representatives chosen from a panel of twenty-
55 five members, who shall be appointed as follows: (1) The Governor
56 shall appoint five members; (2) the majority leader of the House of
57 Representatives shall appoint five members; (3) the majority leader of
58 the Senate shall appoint five members; (4) the minority leader of the
59 House of Representative shall appoint five members; and (5) the
60 minority leader of the Senate shall appoint five members. The
61 executive director of said office, or the executive director's designee,
62 shall ensure that each commission contains at least one member
63 appointed by each of the appointing authorities. Each appointing
64 authority shall select both higher education representatives and
65 business and industry representatives, but not more than three from
66 either category of representatives.

67 (c) No person, school, board, association or corporation shall confer
68 any degree unless authorized by act of the General Assembly. No
69 application for authority to confer any such degree shall be approved
70 by the General Assembly or any committee thereof, nor shall any such
71 authority be included in any charter of incorporation until such
72 application has been evaluated and approved by the [State Board of
73 Education] Office of Higher Education in accordance with regulations
74 established by the Office of Higher Education.

75 (d) The Office of Higher Education shall review all requests and
76 applications for program modifications, nonsubstantive changes,
77 licensure and accreditation. The office shall review each application in
78 consideration of the academic standards set forth in the regulations for
79 licensure and accreditation adopted by said office in accordance with
80 the provisions of subsection (b) of this section. Notwithstanding the
81 provisions of section 10a-34e, any application that is determined by the

82 office to be for (1) a program modification that meets all such academic
83 standards, (2) a nonsubstantive change, (3) licensure, or (4)
84 accreditation shall be deemed approved, and the office shall notify the
85 institution of such approval, not later than forty-five days from the
86 date the office receives such application without requiring any further
87 action from the applicant.

88 (e) If the executive director of the Office of Higher Education, or the
89 executive director's designee, determines that further review of an
90 application is needed due at least in part to the applicant offering
91 instruction in a new program of higher learning or new degree level,
92 then the executive director or the executive director's designee shall
93 conduct a focused or on-site review. Such applicant shall have an
94 opportunity to state any objection regarding any individual selected to
95 review an application on behalf of the executive director. For purposes
96 of this subsection, "focused review" means a review by an out-of-state
97 curriculum expert; and "on-site review" means a full team evaluation
98 by the office at the institution of higher education.

99 (f) The executive director of the Office of Higher Education, or the
100 executive director's designee, may require a focused or on-site review
101 of any program application in a health-related field where a license in
102 Connecticut is required to practice in such field.

103 (g) Any application for licensure of a new institution in this state
104 shall be subject to an on-site review upon a determination by the Office
105 of Higher Education that the application is complete and shall be
106 reviewed at the institutional level for each program as described in
107 subsection (b) of this section. Such process shall be completed not later
108 than nine months from the date said office receives the application.

109 (h) If the Office of Higher Education denies an application for
110 licensure or accreditation of a program or institution of higher
111 education, the applicant may appeal the denial not later than ten days
112 from the date of denial. The academic review commission shall review
113 the appeal and make a decision on such appeal not later than thirty

114 days from the date the applicant submits the appeal to said office.

115 ~~[(d)]~~ (i) No person, school, board, association or corporation shall
116 operate a program of higher learning or an institution of higher
117 [learning] education unless it has been licensed or accredited by the
118 ~~[State Board of Education]~~ Office of Higher Education, nor shall it
119 confer any degree unless it has been accredited in accordance with this
120 section. ~~[The board shall not grant any new license or accreditation~~
121 ~~until it has received a report of an evaluation of such program or~~
122 ~~institution by competent educators approved by the board.]~~ The
123 ~~[board]~~ office shall accept regional ~~[or, where appropriate, national]~~
124 accreditation, in satisfaction of the requirements of this subsection
125 unless the ~~[board]~~ office finds cause not to rely upon such
126 accreditation. If any institution of higher education provides evidence
127 of programmatic accreditation, the office may consider such
128 accreditation in satisfaction of the requirements of this subsection and
129 deem the program at issue in the application for accreditation to be
130 accredited in accordance with this section. National accreditation for
131 Connecticut institutions of higher education accredited prior to July 1,
132 2013, shall be accepted as being in satisfaction of the requirements of
133 this subsection unless the office finds cause not to rely on such national
134 accreditation.

135 ~~[(e)]~~ (j) No person, school, board, association or corporation shall
136 use in any way the term "junior college" or "college" or "university" or
137 use any other name, title, literature, catalogs, pamphlets or descriptive
138 matter tending to designate that it is an institution of higher ~~[learning]~~
139 education, or that it may grant academic or professional degrees,
140 unless the institution possesses a license from, or has been accredited
141 by, the ~~[board]~~ office, nor shall it offer any program of higher learning
142 without approval of the ~~[State Board of Education]~~ Office of Higher
143 Education.

144 ~~[(f)]~~ (k) Accreditation of any program or institution or authority to
145 award degrees granted in accordance with law prior to July 1, 1965,
146 shall continue in effect.

147 [(g) If an existing institution, adversely affected by this section,
148 applies to the board for licensure or accreditation, said board may
149 grant licensure on a temporary basis to expire within one year and
150 renewable from year to year, if, in the judgment of the board,
151 reasonable progress is being made by such institution toward meeting
152 the standards required by regulations of the board.]

153 Sec. 2. Subsection (d) of section 10a-34a of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective July*
155 *1, 2013*):

156 (d) The person, school, board, association or corporation aggrieved
157 by the order of the executive director imposing an administrative
158 penalty pursuant to subsection (c) of this section shall, not later than
159 fifteen days after such order is mailed, request, in writing, a hearing
160 before the [State Board of Education] Office of Higher Education. Such
161 hearing shall be held in accordance with the provisions of chapter 54.

162 Sec. 3. Section 10a-34c of the general statutes is repealed and the
163 following is substituted in lieu thereof (*Effective July 1, 2013*):

164 The executive director of the Office of Higher Education may
165 conduct an investigation and, through the Attorney General, maintain
166 an action in the name of the state against any person, school, board,
167 association or corporation to restrain or prevent the establishment or
168 operation of an institution that is not licensed, accredited or authorized
169 to award degrees by the [State Board of Education] Office of Higher
170 Education pursuant to the provisions of section 10a-34, as amended by
171 this act.

172 Sec. 4. Subsection (a) of section 10a-6 of the general statutes is
173 repealed and the following is substituted in lieu thereof (*Effective July*
174 *1, 2013*):

175 (a) The Board of Regents for Higher Education shall: (1) Establish
176 state-wide policy and guidelines for Connecticut's system of public
177 higher education; (2) develop a master plan for higher education and

178 postsecondary education, consistent with the goals in subsection (b) of
179 this section; (3) establish state-wide tuition and student fee policies; (4)
180 establish state-wide student financial aid policies; (5) monitor and
181 evaluate institutional effectiveness and viability in accordance with
182 criteria established by the board; (6) merge or close institutions within
183 the Connecticut State University System, the regional community-
184 technical college system and the Board for State Academic Awards in
185 accordance with criteria established by the board, provided (A) such
186 recommended merger or closing shall require a two-thirds vote of the
187 board and (B) notice of such recommended merger or closing shall be
188 sent to the committee having cognizance over matters relating to
189 education and to the General Assembly; (7) review and approve
190 mission statements for the Connecticut State University System, the
191 regional community-technical college system and the Board for State
192 Academic Awards and role and scope statements for the individual
193 institutions and campuses of such constituent units; (8) review and
194 approve any recommendations for the establishment of new academic
195 programs submitted to the board by the [constituent unit boards of
196 trustees] state colleges within the Connecticut State University System,
197 the regional community-technical colleges and the Board for State
198 Academic Awards, and, in consultation with the affected constituent
199 units, provide for the initiation, consolidation or termination of
200 academic programs. The Board of Regents for Higher Education shall
201 notify the board of trustees affected by the proposed termination of an
202 academic program. Within ninety days of receipt of such notice, said
203 trustees shall accept or reject the termination proposal and shall notify
204 the Board of Regents for Higher Education of its action. If the
205 termination proposal is rejected by the trustees, the Board of Regents
206 for Higher Education may override the rejection by a two-thirds vote;
207 (9) develop criteria to ensure acceptable quality in programs and
208 institutions and enforce standards through licensing and accreditation;
209 (10) prepare and present to the Governor and General Assembly, in
210 accordance with section 10a-8, consolidated operating and capital
211 expenditure budgets for public higher education developed in
212 accordance with the provisions of said section 10a-8; (11) review and

213 make recommendations on plans received from the constituent unit
214 boards of trustees for the continuing development and maximum
215 utilization of the state's public higher education resources; (12) appoint
216 advisory committees to assist in defining and suggesting solutions for
217 the problems and needs of higher education; (13) establish an advisory
218 council for higher education with representatives from public and
219 private institutions to study methods and proposals for coordinating
220 efforts of all such institutions in providing a stimulating and enriched
221 educational environment for the citizens of the state, including
222 measures to improve educational opportunities through alternative
223 and nontraditional approaches such as external degrees and credit by
224 examination; (14) coordinate programs and services throughout public
225 higher education and between public and independent institutions,
226 including procedures to evaluate the impact on independent
227 institutions of higher education of proposals affecting public
228 institutions of higher education; (15) make or enter into contracts,
229 leases or other agreements in connection with its responsibilities under
230 this part, provided all acquisitions of real estate by lease or otherwise
231 shall be subject to the provisions of section 4b-23; (16) be responsible
232 for the care and maintenance of permanent records of institutions of
233 higher education dissolved after September 1, 1969; (17) prepare and
234 present to the Governor and General Assembly legislative proposals
235 affecting public higher education, including proposals which utilize
236 programs and facilities of independent institutions of higher
237 education; (18) develop and maintain a central higher education
238 information system and establish definitions and data requirements for
239 the state system of higher education; [and] (19) report all new
240 programs and program changes to the Office of Higher Education; and
241 (20) undertake such studies and other activities as will best serve the
242 higher educational interests of the state.

243 Sec. 5. Subsection (a) of section 10a-104 of the general statutes is
244 repealed and the following is substituted in lieu thereof (*Effective July*
245 *1, 2013*):

246 (a) The Board of Trustees of The University of Connecticut shall: (1)
247 Make rules for the government of the university and shall determine
248 the general policies of the university, including those concerning the
249 admission of students and the establishment of schools, colleges,
250 divisions and departments, and shall direct the expenditure of the
251 university's funds within the amounts available; (2) develop the
252 mission statement for The University of Connecticut, and all campuses
253 thereof, which shall include, but not be limited to, the following
254 elements: (A) The educational needs of and constituencies served by
255 said university and campuses; (B) the degrees offered by said
256 university; and (C) the role and scope of each institution and campus
257 within the university system, which shall include each institution's and
258 campus' particular strengths and specialties; (3) establish policies for
259 the university system and for the individual institutions and campuses
260 under its jurisdiction; (4) [submit to the Board of Regents for Higher
261 Education, for approval,] review and approve recommendations for
262 the establishment of new academic programs; (5) report all new
263 programs and program changes to the Office of Higher Education, (6)
264 make recommendations, when appropriate, regarding institutional or
265 campus mergers or closures; [(6)] (7) coordinate the programs and
266 services of the institutions and campuses under its jurisdiction; [(7)] (8)
267 be authorized to enter into agreements, consistent with the provisions
268 of section 5-141d, to save harmless and indemnify sponsors of research
269 grants to The University of Connecticut, provided such an agreement
270 is required to receive the grant and limits liability to damages or injury
271 resulting from acts or omissions related to such research by employees
272 of the university; [(8)] (9) promote fund-raising to assist the university
273 and report to the executive director of the Office of Higher Education
274 and the joint standing committee of the General Assembly having
275 cognizance of matters relating to education by January 1, 1994, and
276 biennially thereafter, on such fund-raising; [(9)] (10) charge the direct
277 costs for a building project under its jurisdiction to the bond fund
278 account for such project, provided (A) such costs are charged in
279 accordance with a procedure approved by the Treasurer and (B)
280 nothing in this subdivision shall permit the charging of working

281 capital costs, as defined in the applicable provisions of the Internal
282 Revenue Code of 1986, or any subsequent corresponding internal
283 revenue code of the United States, as from time to time amended, or
284 costs originally paid from sources other than the bond fund account;
285 [(10)] (11) exercise the powers delegated to it pursuant to section 10a-
286 109d; and [(11)] (12) establish by October 1, 1997, policies governing
287 the acceptance of gifts made by a foundation established pursuant to
288 sections 4-37e and 4-37f to the university or its employees for
289 reimbursement of expenditures or payment of expenditures on behalf
290 of the university or its employees.

291 Sec. 6. Section 10a-35a of the general statutes is repealed and the
292 following is substituted in lieu thereof (*Effective July 1, 2013*):

293 (a) Notwithstanding sections 10a-34 to 10a-35, inclusive, the Board
294 of Regents for Higher Education shall have the authority, in
295 accordance with the provisions of said sections 10a-34 to 10a-35,
296 inclusive, over academic degrees awarded by [public institutions of
297 higher education in this state] the state colleges within the Connecticut
298 State University System, the regional community-technical colleges
299 and the Board for State Academic Awards, including the (1) operation
300 of such public institutions of higher education and the programs
301 offered by such public institutions of higher education, (2) licensure
302 and accreditation of such public institutions of higher education and
303 programs offered by such public institutions of higher education, (3)
304 evaluation and approval of applications to confer academic degrees
305 made by such public institutions of higher education, and (4)
306 assessment of any violation by [a] such public [institution] institutions
307 of higher education of the authority of said board as described in
308 subdivisions (1) to (3), inclusive, of this section and the imposition of a
309 penalty for such violation.

310 (b) Notwithstanding sections 10a-34 to 10a-35, inclusive, the Board
311 of Trustees for The University of Connecticut shall (1) have the
312 authority to review and approve recommendations for the
313 establishment of new academic programs, and (2) report all new

314 programs and program changes to the Office of Higher Education.

315 Sec. 7. Subparagraph (B) of subdivision (2) of subsection (b) of
316 section 10-16p of the general statutes is repealed and the following is
317 substituted in lieu thereof (*Effective July 1, 2013*):

318 (B) From July 1, 2015, to June 30, 2020, "staff qualifications" means
319 that for each early childhood education program accepting state funds
320 for infant, toddler and preschool spaces associated with such
321 program's child day care program or school readiness program, (i) at
322 least fifty per cent of those individuals with the primary responsibility
323 for a classroom of children hold (I) certification pursuant to section 10-
324 145b, as amended by this act, with an endorsement in early childhood
325 education or early childhood special education, or (II) a bachelor's
326 degree with a concentration in early childhood education, including,
327 but not limited to, a bachelor's degree in early childhood education,
328 child study, child development or human growth and development,
329 from an institution of higher education (1) accredited by the Board of
330 Regents for Higher Education or [State Board of Education] Office of
331 Higher Education, and (2) regionally accredited, provided such
332 bachelor's degree program is approved by the Board of Regents for
333 Higher Education and the Department of Education, and (ii) such
334 remaining individuals with the primary responsibility for a classroom
335 of children hold an associate degree with a concentration in early
336 childhood education, including, but not limited to, an associate's
337 degree in early childhood education, child study, child development or
338 human growth and development, from an institution of higher
339 education (1) accredited by the Board of Regents for Higher Education
340 or [State Board of Education] Office of Higher Education, and (2)
341 regionally accredited, provided such associate degree program is
342 approved by the Board of Regents for Higher Education and the
343 Department of Education; and

344 Sec. 8. Subsection (a) of section 10-145b of the general statutes is
345 repealed and the following is substituted in lieu thereof (*Effective July*
346 *1, 2013*):

347 (a) The State Board of Education, upon receipt of a proper
348 application, shall issue an initial educator certificate to any person who
349 has graduated (1) from a four-year baccalaureate program of teacher
350 education as approved by said state board, or (2) from a four-year
351 baccalaureate program approved by said state board or from a college
352 or university accredited by the Board of Regents for Higher Education
353 or [State Board of Education] Office of Higher Education or regionally
354 accredited, provided such person has taken such teacher training
355 equivalents as the State Board of Education shall require and, unless
356 such equivalents are taken at institutions outside of this state, as the
357 board of regents shall accredit. In addition, on and after July 1, 1993,
358 each applicant shall have completed a subject area major as defined by
359 the State Board of Education, except as provided in section 10-145l.
360 Each such initial educator certificate shall be valid for three years,
361 except as provided in subsection (c) of this section, and may be
362 extended by the Commissioner of Education for an additional year for
363 good cause upon the request of the superintendent in whose school
364 district such person is employed or upon the request of the assessment
365 team reviewing such person's performance.

366 Sec. 9. Subparagraph (B) of subdivision (1) of subsection (c) of
367 section 10-145b of the general statutes is repealed and the following is
368 substituted in lieu thereof (*Effective July 1, 2013*):

369 (B) The applicant meets the following requirements, except as
370 otherwise provided in subparagraph (C) of this subdivision:

371 (i) Holds a bachelor's degree from an institution of higher education
372 accredited by the Board of Regents for Higher Education or [State
373 Board of Education] Office of Higher Education or regionally
374 accredited with a major either in or closely related to the certification
375 endorsement area in which the requesting board of education is
376 placing the applicant or, in the case of secondary or special subject or
377 field endorsement area, possesses at least the minimum total number
378 of semester hours of credit required for the content area, except as
379 provided in section 10-145l;

380 (ii) Has met the requirements pursuant to subsection (b) of section
381 10-145f;

382 (iii) Presents a written application on such forms as the
383 Commissioner of Education shall prescribe;

384 (iv) Has successfully completed an alternate route to certification
385 program provided by the Board of Regents for Higher Education or
386 the Office of Higher Education or public or independent institutions of
387 higher education, regional educational service centers or private
388 teacher or administrator training organizations and approved by the
389 State Board of Education;

390 (v) Possesses an undergraduate college overall grade point average
391 of at least "B" or, if the applicant has completed at least twenty-four
392 hours of graduate credit, possesses a graduate grade point average of
393 at least "B"; and

394 (vi) Presents supporting evidence of appropriate experience
395 working with children; and

396 Sec. 10. Subsection (a) of section 10-145m of the general statutes is
397 repealed and the following is substituted in lieu thereof (*Effective July*
398 *1, 2013*):

399 (a) The State Board of Education, upon receipt of a proper
400 application, shall issue a resident teacher certificate to any applicant in
401 the certification endorsement areas of elementary education, middle
402 grades education, secondary academic subjects, special subjects or
403 fields, special education, early childhood education and administration
404 and supervision, who (1) holds a bachelor's degree from an institution
405 of higher education accredited by the Board of Regents for Higher
406 Education or [State Board of Education] Office of Higher Education or
407 regionally accredited, (2) possesses a minimum undergraduate college
408 cumulative grade point average of 3.00, (3) has achieved a qualifying
409 score, as determined by the State Board of Education, on the
410 appropriate State Board of Education approved subject area

411 assessment, and (4) is enrolled in an alternate route to certification
412 program, approved by the State Board of Education, that meets the
413 guidelines established by the No Child Left Behind Act, P.L. 107-110.

414 Sec. 11. Subsection (a) of section 10-145n of the general statutes is
415 repealed and the following is substituted in lieu thereof (*Effective July*
416 *1, 2013*):

417 (a) Subject to the provisions of subsection (g) of this section, the
418 State Board of Education, upon the request of a local or regional board
419 of education or a regional educational service center, may issue an
420 adjunct instructor permit to any applicant with specialized training,
421 experience or expertise in the arts, as defined in subsection (a) of
422 section 10-16b. Such permit shall authorize a person to hold a part-time
423 position, of no more than fifteen classroom instructional hours per
424 week at a part-time interdistrict arts magnet high school in existence
425 on July 1, 2009, and approved pursuant to section 10-264/ or the
426 Cooperative Arts and Humanities Magnet High School, as a teacher of
427 art, music, dance, theater or any other subject related to such holder's
428 artistic specialty. Except as provided in subsection (g) of this section,
429 such applicant shall (1) hold a bachelor's degree from an institution of
430 higher education accredited by the Board of Regents for Higher
431 Education or [State Board of Education] Office of Higher Education or
432 regionally accredited, (2) have a minimum of three years of work
433 experience in the arts, or one year of work experience and two years of
434 specialized schooling related to such applicant's artistic specialty, and
435 (3) attest to the State Board of Education that he or she has at least one
436 hundred eighty hours of cumulative experience working with
437 children, in a private or public setting, including, but not limited to,
438 after school programs, group lessons, children's theater, dance studio
439 lessons and artist-in-residence programs, or at least two years
440 experience as a full-time faculty member at an institution of higher
441 education.

442 Sec. 12. Subsection (a) of section 10-145p of the general statutes is
443 repealed and the following is substituted in lieu thereof (*Effective July*

444 1, 2013):

445 (a) The Department of Education shall review and approve
446 proposals for alternate route to certification programs for school
447 administrators. In order to be approved, a proposal shall provide that
448 the alternative route to certification program (1) be provided by a
449 public or independent institution of higher education, a local or
450 regional board of education, a regional educational service center or a
451 private, nonprofit teacher or administrator training organization
452 approved by the State Board of Education; (2) accept only those
453 participants who (A) hold a bachelor's degree from an institution of
454 higher education accredited by the Board of Regents for Higher
455 Education or [State Board of Education] Office of Higher Education or
456 regionally accredited, (B) have at least forty school months teaching
457 experience, of which at least ten school months are in a position
458 requiring certification at a public school, in this state or another state,
459 and (C) are recommended by the immediate supervisor or district
460 administrator of such person on the basis of such person's
461 performance; (3) require each participant to (A) complete a one-year
462 residency that requires such person to serve (i) in a position requiring
463 an intermediate administrator or supervisor endorsement, and (ii) in a
464 full-time position for ten school months at a local or regional board of
465 education in the state under the supervision of (I) a certified
466 administrator, and (II) a supervisor from an institution or organization
467 described in subdivision (1) of this subsection, or (B) have ten school
468 months experience in a full-time position as an administrator in a
469 public or nonpublic school in another state that is approved by the
470 appropriate state board of education in such other state; and (4) meet
471 such other criteria as the department requires.

472 Sec. 13. Subdivision (1) of subsection (c) of section 10-155l of the
473 general statutes is repealed and the following is substituted in lieu
474 thereof (*Effective July 1, 2013*):

475 (1) A fellows program leading to the eligibility for an educator
476 certificate for minority individuals who have (A) completed an

477 intensive summer session focusing on classroom management and
478 methodology, (B) received a bachelor's degree from an institution of
479 higher education accredited by the Board of Regents for Higher
480 Education or [State Board of Education] Office of Higher Education or
481 regionally accredited, (C) achieved a satisfactory score on the
482 examination required pursuant to section 10-145f or have had such
483 requirement waived pursuant to said section, and (D) have such other
484 qualifications for the issuance of an educator certificate as are required
485 for individuals participating in the alternate route to certification
486 program under section 10-155d;

487 Sec. 14. Subsections (f) and (g) of section 10-221a of the general
488 statutes are repealed and the following is substituted in lieu thereof
489 (*Effective July 1, 2013*):

490 (f) Determination of eligible credits shall be at the discretion of the
491 local or regional board of education, provided the primary focus of the
492 curriculum of eligible credits corresponds directly to the subject matter
493 of the specified course requirements. The local or regional board of
494 education may permit a student to graduate during a period of
495 expulsion pursuant to section 10-233d, if the board determines the
496 student has satisfactorily completed the necessary credits pursuant to
497 this section. The requirements of this section shall apply to any student
498 requiring special education pursuant to section 10-76a, except when
499 the planning and placement team for such student determines the
500 requirement not to be appropriate. For purposes of this section, a
501 credit shall consist of not less than the equivalent of a forty-minute
502 class period for each school day of a school year except for a credit or
503 part of a credit toward high school graduation earned (1) at an
504 institution accredited by the Board of Regents for Higher Education or
505 [State Board of Education] Office of Higher Education or regionally
506 accredited; or (2) through on-line coursework that is in accordance
507 with a policy adopted pursuant to subsection (g) of this section.

508 (g) Only courses taken in grades nine through twelve, inclusive,
509 shall satisfy this graduation requirement, except that a local or regional

510 board of education may grant a student credit (1) toward meeting a
511 specified course requirement upon the successful completion in grade
512 seven or eight of any course, the primary focus of which corresponds
513 directly to the subject matter of a specified course requirement in
514 grades nine to twelve, inclusive; (2) toward meeting the high school
515 graduation requirement upon the successful completion of a world
516 language course (A) in grade six, seven or eight, (B) through on-line
517 coursework, or (C) offered privately through a nonprofit provider,
518 provided such student achieves a passing grade on an examination
519 prescribed, within available appropriations, by the Commissioner of
520 Education and such credits do not exceed four; (3) toward meeting the
521 high school graduation requirement upon achievement of a passing
522 grade on a subject area proficiency examination identified and
523 approved, within available appropriations, by the Commissioner of
524 Education, regardless of the number of hours the student spent in a
525 public school classroom learning such subject matter; (4) toward
526 meeting the high school graduation requirement upon the successful
527 completion of coursework at an institution accredited by the Board of
528 Regents for Higher Education or [State Board of Education] Office of
529 Higher Education or regionally accredited. One three-credit semester
530 course, or its equivalent, at such an institution shall equal one-half
531 credit for purposes of this section; (5) toward meeting the high school
532 graduation requirement upon the successful completion of on-line
533 coursework, provided the local or regional board of education has
534 adopted a policy in accordance with this subdivision for the granting
535 of credit for on-line coursework. Such a policy shall ensure, at a
536 minimum, that (A) the workload required by the on-line course is
537 equivalent to that of a similar course taught in a traditional classroom
538 setting, (B) the content is rigorous and aligned with curriculum
539 guidelines approved by the State Board of Education, where
540 appropriate, (C) the course engages students and has interactive
541 components, which may include, but are not limited to, required
542 interactions between students and their teachers, participation in on-
543 line demonstrations, discussion boards or virtual labs, (D) the program
544 of instruction for such on-line coursework is planned, ongoing and

545 systematic, and (E) the courses are (i) taught by teachers who are
546 certified in the state or another state and have received training on
547 teaching in an on-line environment, or (ii) offered by institutions of
548 higher education that are accredited by the Board of Regents for
549 Higher Education or [State Board of Education] Office of Higher
550 Education or regionally accredited; or (6) toward meeting the high
551 school graduation requirement upon the successful completion of the
552 board examination series pursuant to section 10-5c.

553 Sec. 15. Section 10-264n of the general statutes is repealed and the
554 following is substituted in lieu thereof (*Effective July 1, 2013*):

555 The Commissioner of Education shall consult with (1) the Board of
556 Trustees for Community-Technical Colleges, (2) the Board of Trustees
557 of the Connecticut State University System, (3) the boards of trustees
558 for higher education institutions licensed and accredited by the Board
559 of Regents for Higher Education or [State Board of Education] Office of
560 Higher Education, or (4) the Board of Trustees for The University of
561 Connecticut and may consult with any not-for-profit corporation
562 approved by the Commissioner of Education to initiate collaborative
563 planning for establishing additional interdistrict magnet schools in the
564 Sheff region, as defined in subsection (q) of section 10-266aa.

565 Sec. 16. Subsection (a) of section 10a-1d of the general statutes is
566 repealed and the following is substituted in lieu thereof (*Effective July*
567 *1, 2013*):

568 (a) There is established an Office of Higher Education. Such office
569 shall be within the Board of Regents for Higher Education for
570 administrative purposes only. The Office of Higher Education shall
571 administer the programs set forth in sections 10-19g, 10-155d, 10a-10a,
572 10a-11, 10a-11a, 10a-17d, 10a-34 to 10a-34f, inclusive, as amended by
573 this act, 10a-35, as amended by this act, 10a-36 to 10a-42g, inclusive,
574 10a-164a, 10a-166 and 10a-168a to 10a-170, inclusive. The [State Board
575 of Education] Office of Higher Education shall be responsible for
576 approving any action taken pursuant to sections 10a-34 to 10a-34f,

577 inclusive, as amended by this act.

578 Sec. 17. Section 10a-35 of the general statutes is repealed and the
579 following is substituted in lieu thereof (*Effective July 1, 2013*):

580 No person, school, board, association or corporation which, prior to
581 July 1, 1935, was granted authority to confer any standard academic,
582 professional or graduate degree and which did not, prior to July 1,
583 1935, exercise such authority shall confer any such degree until it is
584 determined by the Office of Higher Education [and approved by the
585 State Board of Education] that its organization and equipment are such
586 that it is fully competent to meet the degree standards set and
587 maintained by similar institutions. Any degree granted in violation of
588 the provisions of this section shall be null and void. Any person,
589 school, board, association or corporation which violates any provision
590 of this section shall be fined not more than one thousand dollars.

591 Sec. 18. Subsection (c) of section 10a-163 of the general statutes is
592 repealed and the following is substituted in lieu thereof (*Effective July*
593 *1, 2013*):

594 (c) Full-time undergraduate students in their junior or senior years
595 and full-time graduate students who have been admitted to a teacher
596 education program approved by the State Board of Education and
597 accredited by the Board of Regents for Higher Education or [State
598 Board of Education] Office of Higher Education and which prepares an
599 individual for teaching in a field designated by the Commissioner of
600 Education as an area of critical teacher shortage shall, within available
601 appropriations, be eligible for student loans under this program in an
602 amount not greater than five thousand dollars per year for not more
603 than two years.

604 Sec. 19. Subparagraph (J) of subdivision (37) of subsection (a) of
605 section 12-407 of the general statutes is repealed and the following is
606 substituted in lieu thereof (*Effective July 1, 2013*):

607 (J) Business analysis, management, management consulting and

608 public relations services, excluding (i) any environmental consulting
609 services, (ii) any training services provided by an institution of higher
610 education licensed or accredited by the Board of Regents for Higher
611 Education or [State Board of Education] Office of Higher Education
612 pursuant to sections 10a-35a and 10a-34, as amended by this act,
613 respectively, and (iii) on and after January 1, 1994, any business
614 analysis, management, management consulting and public relations
615 services when such services are rendered in connection with an aircraft
616 leased or owned by a certificated air carrier or in connection with an
617 aircraft which has a maximum certificated take-off weight of six
618 thousand pounds or more;

619 Sec. 20. Subsection (b) of section 20-37a of the general statutes is
620 repealed and the following is substituted in lieu thereof (*Effective July*
621 *1, 2013*):

622 (b) Notwithstanding the requirements of section 20-37, no license to
623 practice natureopathic medicine is required of:

624 (1) Students enrolled in a college or program of natureopathic
625 medicine if (A) the college or program is recognized by the Council on
626 Natureopathic Medical Education or licensed or accredited by the
627 Board of Regents for Higher Education or [State Board of Education]
628 Office of Higher Education, and (B) the practice that would otherwise
629 require a license is pursuant to a course of instruction or assignments
630 from an instructor and under the supervision of the instructor; or

631 (2) Licensed faculty members providing the didactic and clinical
632 training necessary to meet the accreditation standards of the Council
633 on Natureopathic Medical Education at a college or program
634 recognized by the council or licensed or accredited by the Board of
635 Regents for Higher Education or [State Board of Education] Office of
636 Higher Education.

637 Sec. 21. Section 20-206bb of the general statutes is repealed and the
638 following is substituted in lieu thereof (*Effective July 1, 2013*):

639 (a) No person shall engage in the practice of acupuncture without a
640 license as an acupuncturist issued pursuant to this section.

641 (b) Each person seeking licensure as an acupuncturist shall make
642 application on forms prescribed by the department, pay an application
643 fee of two hundred dollars and present to the department satisfactory
644 evidence that the applicant (1) has completed sixty semester hours, or
645 its equivalent, of postsecondary study in an institution of
646 postsecondary education that, if in the United States or its territories,
647 was accredited by a recognized regional accrediting body or, if outside
648 the United States or its territories, was legally chartered to grant
649 postsecondary degrees in the country in which located, (2) has
650 successfully completed a course of study in acupuncture in a program
651 that, at the time of graduation, was in candidate status with or
652 accredited by an accrediting agency recognized by the United States
653 Department of Education and included (A) for a person who
654 completed such course of study before October 1, 2012, a minimum of
655 one thousand three hundred fifty hours of didactic and clinical
656 training, five hundred of which were clinical, or (B) for a person who
657 completed such course of study on or after October 1, 2012, a
658 minimum of one thousand nine hundred five hours of didactic and
659 clinical training, six hundred sixty of which were clinical, (3) has
660 passed all portions of the National Certification Commission for
661 Acupuncture and Oriental Medicine examination required for
662 acupuncture certification or an examination prescribed by the
663 department, and (4) has successfully completed a course in clean
664 needle technique prescribed by the department. Any person
665 successfully completing the education, examination or training
666 requirements of this section in a language other than English shall be
667 deemed to have satisfied the requirement completed in that language.

668 (c) An applicant for licensure as an acupuncturist by endorsement
669 shall present evidence satisfactory to the commissioner of licensure or
670 certification as an acupuncturist, or as a person entitled to perform
671 similar services under a different designation, in another state or

672 jurisdiction whose requirements for practicing in such capacity are
673 equivalent to or higher than those of this state and that there are no
674 disciplinary actions or unresolved complaints pending. Any person
675 completing the requirements of this section in a language other than
676 English shall be deemed to have satisfied the requirements of this
677 section.

678 (d) Notwithstanding the provisions of subsection (b) of this section,
679 the department shall, prior to September 1, 2005, issue a license to any
680 applicant who presents to the department satisfactory evidence that
681 the applicant has (1) earned, or successfully completed requirements
682 for, a master's degree in acupuncture from a program that includes a
683 minimum of one thousand three hundred fifty hours of didactic and
684 clinical training, five hundred of which are clinical, from an institution
685 of higher education accredited by the Board of Regents for Higher
686 Education or [State Board of Education] Office of Higher Education at
687 the time of the applicant's graduation, (2) passed all portions of the
688 National Certification Commission for Acupuncture and Oriental
689 Medicine acupuncture examination, including the acupuncture portion
690 of the comprehensive written examination in acupuncture, the clean
691 needle technique portion of the comprehensive written examination in
692 acupuncture and the practical examination of point location skills, and
693 (3) successfully completed a course in clean needle technique offered
694 by the Council of Colleges of Acupuncture and Oriental Medicine.

695 (e) Licenses shall be renewed once every two years in accordance
696 with the provisions of subsection (e) of section 19a-88. The fee for
697 renewal shall be two hundred fifty dollars.

698 (1) Except as provided in subdivision (2) of this subsection, for
699 registration periods beginning on and after October 1, 2014, a licensee
700 applying for license renewal shall (A) maintain a certification by the
701 National Certification Commission for Acupuncture and Oriental
702 Medicine, or (B) earn not less than thirty contact hours of continuing
703 education approved by the National Certification Commission for
704 Acupuncture and Oriental Medicine within the preceding twenty-four-

705 month period.

706 (2) Each licensee applying for license renewal pursuant to section
707 19a-88, except a licensee applying for a license renewal for the first
708 time, shall sign a statement attesting that he or she has satisfied the
709 certification or continuing education requirements described in
710 subdivision (1) of this subsection on a form prescribed by the
711 department. Each licensee shall retain records of attendance or
712 certificates of completion that demonstrate compliance with the
713 continuing education or certification requirements described in
714 subdivision (1) of this subsection for not less than five years following
715 the date on which the continuing education was completed or the
716 certification was renewed. Each licensee shall submit such records to
717 the department for inspection not later than forty-five days after a
718 request by the department for such records.

719 (3) In individual cases involving medical disability or illness, the
720 commissioner may grant a waiver of the continuing education or
721 certification requirements or an extension of time within which to
722 fulfill such requirements of this subsection to any licensee, provided
723 the licensee submits to the department an application for waiver or
724 extension of time on a form prescribed by the commissioner, along
725 with a certification by a licensed physician of the disability or illness
726 and such other documentation as may be required by the department.
727 The commissioner may grant a waiver or extension for a period not to
728 exceed one registration period, except that the commissioner may
729 grant additional waivers or extensions if the medical disability or
730 illness upon which a waiver or extension is granted continues beyond
731 the period of the waiver or extension and the licensee applies for an
732 additional waiver or extension.

733 (4) A licensee whose license has become void pursuant to section
734 19a-88 and who applies to the department for reinstatement of such
735 license, shall submit evidence documenting valid acupuncture
736 certification by the National Certification Commission for
737 Acupuncture and Oriental Medicine or successful completion of fifteen

738 contact hours of continuing education within the one-year period
739 immediately preceding application for reinstatement.

740 (f) No license shall be issued under this section to any applicant
741 against whom professional disciplinary action is pending or who is the
742 subject of an unresolved complaint in this or any other state or
743 territory of the United States.

744 (g) Nothing in section 20-206aa or 20-206cc or this section shall be
745 construed to prevent licensed practitioners of the healing arts, as
746 defined in section 20-1, physical therapists or dentists from providing
747 care or performing services consistent with accepted standards within
748 their respective professions.

749 (h) Notwithstanding the provisions of subsection (a) of this section,
750 any person certified by an organization approved by the
751 Commissioner of Public Health may practice auricular acupuncture for
752 the treatment of alcohol and drug abuse, provided the treatment is
753 performed under the supervision of a physician licensed under chapter
754 370 and is performed in either (1) a private free-standing facility
755 licensed by the Department of Public Health for the care or treatment
756 of substance abusive or dependent persons, or (2) a setting operated by
757 the Department of Mental Health and Addiction Services. The
758 Commissioner of Public Health shall adopt regulations, in accordance
759 with the provisions of chapter 54, to ensure the safe provision of
760 auricular acupuncture within private free-standing facilities licensed
761 by the Department of Public Health for the care or treatment of
762 substance abusive or dependent persons.

763 (i) Notwithstanding the provisions of subsection (a) of this section,
764 no license to engage in the practice of acupuncture is required of: (1)
765 Students enrolled in a college or program of acupuncture if (A) the
766 college or program is recognized by the Accreditation Commission for
767 Acupuncture and Oriental Medicine or licensed or accredited by the
768 Board of Regents for Higher Education or [State Board of Education]
769 Office of Higher Education, and (B) the practice that would otherwise

770 require a license is pursuant to a course of instruction or assignments
771 from a licensed instructor and under the supervision of the instructor;
772 or (2) faculty members providing the didactic and clinical training
773 necessary to meet the accreditation standards of the Accreditation
774 Commission for Acupuncture and Oriental Medicine at a college or
775 program recognized by the commission or licensed or accredited by
776 the Board of Regents for Higher Education or [State Board of
777 Education] Office of Higher Education. For purposes of this
778 subsection, "licensed instructor" means a faculty member or instructor
779 licensed under this section or otherwise authorized to engage in the
780 practice of acupuncture in this state.

781 (j) No person shall use the title "acupuncturist", or use in connection
782 with his or her name, any letters, words or insignia indicating or
783 implying that such person is a licensed acupuncturist or advertise
784 services as an acupuncturist, unless such person holds a license as an
785 acupuncturist issued pursuant to this section. No person shall
786 represent himself or herself as being certified to practice auricular
787 acupuncture for the treatment of alcohol and drug abuse, or use in
788 connection with his or her name the term "acupuncture detoxification
789 specialist", or the letters "A.D.S." or any letters, words or insignia
790 indicating or implying that such person is certified to practice
791 auricular acupuncture for the treatment of alcohol and drug abuse
792 unless such person is certified in accordance with subsection (h) of this
793 section. Nothing in this subsection shall be construed to prevent a
794 person from providing care, or performing or advertising services
795 within the scope of such person's license or as otherwise authorized in
796 this section.

797 Sec. 22. Section 30-20a of the general statutes is repealed and the
798 following is substituted in lieu thereof (*Effective July 1, 2013*):

799 (a) (1) A university permit for beer shall allow the retail sale of beer
800 on land and in a building which is subject to the care, custody and
801 control of an institution offering a program of higher learning, as
802 defined in section 10a-34, as amended by this act, which has been

803 accredited by the Board of Regents for Higher Education or [State
804 Board of Education] Office of Higher Education or otherwise is
805 authorized to award a degree pursuant to section 10a-34, as amended
806 by this act. Such beverages shall be available for consumption on the
807 premises by students, faculty and staff of the institution or their guests.
808 Such permits shall be under the supervision and control of the
809 Department of Consumer Protection. The annual fee for a university
810 permit for beer shall be three hundred dollars.

811 (2) A university permit for wine and beer shall allow the retail sale
812 of wine and beer on land and in a building which is subject to the care,
813 custody and control of an institution offering a program of higher
814 learning, as defined in section 10a-34, as amended by this act, which
815 has been accredited by the Board of Regents for Higher Education or
816 [State Board of Education] Office of Higher Education or otherwise is
817 authorized to award a degree pursuant to section 10a-34, as amended
818 by this act. Such beverages shall be available for consumption on the
819 premises by students, faculty and staff of the institution or their guests.
820 Such permits shall be under the supervision and control of the
821 Department of Consumer Protection. The annual fee for a university
822 permit for beer and wine shall be seven hundred dollars.

823 (b) A university liquor permit shall allow the retail sale of alcoholic
824 liquor: (1) In a room that is subject to the care, custody and control of
825 The University of Connecticut Board of Trustees, or (2) on land or in a
826 building situated on or abutting a golf course which is subject to the
827 care, custody and control of an institution offering a program of higher
828 learning, as defined in section 10a-34, as amended by this act, which
829 has been accredited by the Board of Regents for Higher Education or
830 [State Board of Education] Office of Higher Education or otherwise is
831 authorized to award a degree pursuant to section 10a-34, as amended
832 by this act. Such permits shall be under the supervision and control of
833 the Department of Consumer Protection. The annual fee for a
834 university liquor permit shall be three hundred dollars.

835 Sec. 23. (NEW) (*Effective July 1, 2013*) When any independent

836 institution of higher education provides, upon request, student data or
 837 records containing information that is confidential under federal or
 838 state law to a local or regional board of education or any department
 839 or agency of the state, including, but not limited to, the Board of
 840 Regents for Higher Education, The University of Connecticut, the
 841 Office of Higher Education and the Labor Department, in accordance
 842 with such federal or state law and pursuant to the terms of a written
 843 agreement with such board, department or agency, such independent
 844 institution of higher education shall not be held liable for any breach of
 845 confidentiality, use, retention, or destruction of such student data or
 846 records that results from the actions or omissions of such board,
 847 department, or agency or of any person providing access to such
 848 student data or records obtained by such board, department or agency.
 849 For purposes of this section, confidential student data or records
 850 includes, but is not limited to, personally identifiable information, as
 851 defined in the regulations implementing the Family Educational Rights
 852 and Privacy Act of 1974, 20 USC 1232g, as from time to time amended,
 853 at 34 CFR 99.3."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	10a-34
Sec. 2	July 1, 2013	10a-34a(d)
Sec. 3	July 1, 2013	10a-34c
Sec. 4	July 1, 2013	10a-6(a)
Sec. 5	July 1, 2013	10a-104(a)
Sec. 6	July 1, 2013	10a-35a
Sec. 7	July 1, 2013	10-16p(b)(2)(B)
Sec. 8	July 1, 2013	10-145b(a)
Sec. 9	July 1, 2013	10-145b(c)(1)(B)
Sec. 10	July 1, 2013	10-145m(a)
Sec. 11	July 1, 2013	10-145n(a)
Sec. 12	July 1, 2013	10-145p(a)
Sec. 13	July 1, 2013	10-155l(c)(1)
Sec. 14	July 1, 2013	10-221a(f) and (g)
Sec. 15	July 1, 2013	10-264n

Sec. 16	<i>July 1, 2013</i>	10a-1d(a)
Sec. 17	<i>July 1, 2013</i>	10a-35
Sec. 18	<i>July 1, 2013</i>	10a-163(c)
Sec. 19	<i>July 1, 2013</i>	12-407(a)(37)(J)
Sec. 20	<i>July 1, 2013</i>	20-37a(b)
Sec. 21	<i>July 1, 2013</i>	20-206bb
Sec. 22	<i>July 1, 2013</i>	30-20a
Sec. 23	<i>July 1, 2013</i>	New section